

**AGENDA**  
Mansfield Conservation Commission  
Regular Meeting  
Wednesday, January 18, 2012  
Audrey P. Beck Building  
CONFERENCE ROOM B  
7:30 PM

- 1. Call to Order**
- 2. Roll Call**
- 3. Opportunity for Public Comment**
- 4. Minutes**
  - a. December 21, 2011
- 5. New Business**
  - a. Watershed Protection Projects Grant Opportunity
  - b. Water Regulations
  - c. Other
- 6. Continuing Business**
  - a. Protecting Dark Skies in the Last Green Valley
  - b. Water Source Study for the Four Corners Area/Environmental Impact Evaluation (EIE)
  - c. Swan Lake Discharge Mirror Lake Dredging and other UConn Drainage Issues
  - d. UConn Agronomy Farm Irrigation Project
  - e. Eagleville Brook Impervious Surface TMDL Project
  - f. UConn Hazardous Waste Transfer Station
  - g. Ponde Place Student Housing Project
  - h. CL&P "Interstate Reliability Project"
  - i. Other
- 7. Communications**
  - a. Minutes
    - ☐ Open Space (12/20/11) ☐ PZC (12/19/11 & 1/3/12) ☐ IWA (1/3/12)
  - b. Inland Wetlands Agent Monthly Activity Report
  - c. December 2011 CFL
  - d. Other
- 8. Other**
- 9. Future Agendas**
- 10. Adjournment**



Town of Mansfield  
**CONSERVATION COMMISSION**  
Meeting of 21 December 2011  
Conference B, Audrey P. Beck Building  
(draft) MINUTES

*Members present:* Robert Dahn, Neil Facchinetti, Quentin Kessel, Scott Lehmann, John Silander, Frank Trainor. *Members absent:* Aline Booth (Alt.), Joan Buck (Alt.), Peter Drzewiecki. *Others present:* Interstate Reliability Project: Jeff Buckley (Burns & McDonnell Engineering), Jeffrey Martin (NUSCO), Tony Mele (NU Transmission), John Yarbrough (Carmody & Torrance, LLP); Hawthorne Lane residents: Chris Duers, Wayne Hawthorne, Richard ("Scott") Welden; Grant Meitzler (Wetlands Agent), Linda Painter (Town Planner).

1. The meeting was **called to order** at 7:34p by Chair Quentin Kessel. The Commission agreed unanimously to reorder and expand its agenda to accommodate guests and two items of new business.

2. The draft minutes of the 16 November meeting, with the excision of the second sentence of item 5, were approved.

**3. Interstate Reliability Project.**

a. CL&P has updated its 2008 proposal for a second 345kv transmission line to improve the electric power grid in S. New England. Its preferred alternative remains running the new line through NE Connecticut in the existing right-of-way (ROW) using a second column of poles. Use of monopoles in some sections of Mansfield would slightly reduce the amount of new clearing required in the ROW. The option preferred by the Commission (running the line parallel to I-90 & then down to Manchester) was rejected as more costly (\$700M with greater environmental impact vs. \$532M). Somewhat more costly variations on CL&P's preferred option include placing some sections of the line in Mansfield underground and avoiding Mansfield entirely (at Windham's expense). For details, see Linda Painter's report:

[www.mansfieldct.gov/1904/1932/16188/interstate\\_reliability\\_project\\_report.pdf](http://www.mansfieldct.gov/1904/1932/16188/interstate_reliability_project_report.pdf)

b. Responding to questions from the Commission, representatives of CL&P indicated that the project aims (1) to eliminate bottlenecks in moving power to S. New England, a net importer of electricity, and (2) to increase the grid's reliability by providing redundancy through a second 345kv circuit. Higher single-pole structures carrying both the old and new 345kv line (which the Commission had suggested in order to avoid additional clearing in the ROW) might achieve(1) but not (2), since failure of a single structure would take out both circuits.

c. **PZC #1177 (Hawthorne La, Conservation Easement).** Residents of Hawthorne Lane have proposed that CL&P slightly 'cut the corner' of its ROW at the Hawthorne La cul de sac so that the buffer of trees in front of their homes does not disappear. This would require liquidating 0.32 acres of a Town conservation easement (and the trees thereon). In exchange, the residents have agreed to offer the town a conservation easement on 0.64 acres of wooded land at the rear of two of their lots. This slight re-routing is not part of CL&P's preferred alternative, but it will be included as an option in its application to the Connecticut Siting Council, provided the Town agrees to the easement swap. After some discussion, the Commission agreed unanimously (motion: Lehmann, Dahn) that it had no objection to the proposed exchange of conservation easements. CL&P representatives and Hawthorne La residents left the meeting.

**4. IWA referrals.** Lehmann visited these sites on the 13 December IWA Field Trip; his report is attached.

a. **W1489 (Town of Mansfield, Woodland Rd).** To address an erosion problem, the Town proposes to redirect drainage from a catchment in Ashford to a wooded area in Mansfield above a wetland, via 180 feet of 18-inch pipe with a level spreader at its egress to control erosion. The Commission does not expect any significant wetlands impact from this project as proposed (**motion:** Lehmann, Trainor; approved unanimously).

b. **W1490 (Eastbrook Mall, 95 Storrs Rd).** Two projects are proposed at Eastbrook Mall: (1) a 14.5K ft<sup>2</sup> addition to the N end (TJ-Max end) of the building and (2) a pad for a 3.2K ft<sup>2</sup> building on the grassy triangle at the NE corner of the property between Rt. 195 and Sawmill Brook. (1) requires cutting the existing access road around the N side of the mall into the hill that separates it from Sawmill Brook; (2) requires access from the mall to the new building pad by a bridge over Sawmill Brook. After some discussion, the Commission agreed on the following **motion** (Facchinetti, Silander; all in favor save Dahn, who abstained because he has done work for the developer):

(A) The Commission is concerned about runoff into Sawmill Brook from the Eastbrook Mall parking lots. To provide some protection for the brook, developers of the proposed expansion should eliminate at least as much impervious cover (IC) southwest of the brook as is created by the expansion; in particular, the eliminated IC should be replaced with a broad vegetated berm on the southwest side of the brook. (B) The brook should be protected from sedimentation during construction by adequate erosion-control measures. (C) Realigning the north access road will bring it quite close to the brook, and it is not possible, on the basis of the information provided, to rule out a significant impact on the brook.

c. **W1491 (Cumberland Farms, 4 Corners).** As this application is essentially a resubmission of W1483, the Commission saw no need to revise its comment of 20 July 2011.

**5. Executive Session.** At approximately 8:50p the Commission voted unanimously (**motion:** Dahn, Facchinetti) to go into executive session to discuss a property acquisition issue; Painter and Meitzler remained in attendance. The executive session ended and the regular meeting resumed at 9:00p (**motion:** Trainor, Dahn; approved unanimously).

**6. UConn Water Supply Source Study.** UConn has added relocating Fenton Well A farther from the Fenton River to the list of alternative water sources being evaluated.

**7. Heidinger Letter.** A 14 December letter to the Commission from Kurt Heidinger points out that, in the view of the Attorney General in 2000, UConn (as a state agency) does not qualify as a water company and its operations are therefore not subject to DEEP oversight under the state's aquifer protection program. The Commission agreed to pass Mr. Heidinger's letter along to the Town Council with the recommendation that it address concerns about the lack of legal authority for regulating UConn's use of the Willimantic and Fenton River wellfields.

**8. Dark Skies.** The Conservation Commissions of Mansfield, Ashford, & Willington will sponsor a showing of "The City Dark," a documentary film on light pollution, at 7:00p, 03 February 2012 at E.O. Smith. A representative from the International Dark Sky Association will attend to answer questions.

**9. North Hillside Rd.** The Final EIS on this project to connect UConn to Rt. 44 has been issued. The deadline for comments is 23 January 2012.

## 8. Adjourned at 9:13p.

Scott Lehmann, Secretary, 27 December 2011.

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### **Attachment:** Report on 12/13/2011 IWA Field Trip (Scott Lehmann, 12/14)

W1489 (Town of Mansfield, Woodland Rd). What was a seasonal front-yard pond on several lots in Ashford just north of the Mansfield town line is now drained via a catchment & pipe S into Mansfield. At some times of year water gushing from the pipe forms a small stream that erodes a horse pasture off Woodland Rd. To avoid this, the Town proposes to re-direct the water from the catch basin to a wooded area to the SE through 180' of 18" pipe. The water would exit the pipe onto a level spreader about 40' above a wetland. Assuming the drained water isn't contaminated with lawn chemicals, I don't anticipate any significant wetland impact from this project.

PZC1177 (Hawthorne La, Conservation Easement modification). Residents of Hawthorne La will lose a treed buffer between their homes and CL&P's power lines if the Interstate Reliability Project proceeds as proposed: more of CL&P's right-of-way on the N will be cleared for a second column of transmission lines. To save the buffer, the residents have proposed a small alteration in the right-of-way, which would run it through a 0.35 acre triangle of woods on which the Town holds a conservation easement (the trees -- including a large white pine -- on this parcel would be cleared for the transmission lines).

When the proposal came before the Commission in July 2010, we suggested that the Town acquire a conservation easement on the treed buffer as a quid pro quo. However, this turns out to be legally very complicated (an Attorney Enrichment Program). The residents have now proposed exchanging the Town's 0.35 acre conservation easement for one on 0.35 acres of woods at the rear of one of their lots, abutting a existing Town conservation easement. Field Trip participants located the area on a map but did not walk back to it.

Lifting the encumbrance on the wooded triangle represented by the Town's conservation easement is a necessary but not sufficient condition for relocating the right-of-way. If the easement is out of the way, CL&P is prepared to propose adjusting the right-of-way accordingly to the Connecticut Siting Council (under a provision allowing such adjustments for EMF mitigation). However, the cost of relocating the existing lines is on the order of \$1M, which would be passed along to rate-payers, and the Siting Council may not approve.

W1490 (Eastbrook Mall, Storrs Rd) Two projects are proposed: (1) an addition to the TJMax-end of the mall that would cover the parking area and some of the roadway to the N (the new roadway would be cut into the hill separating the mall from Sawmill Br), and (2) a pad for a small building in the grassy triangle of land between Sawmill Br and Rte 195, to be accessed by a bridge over Sawmill Br and a cut to Rte 195. The relocated road would be quite close to the brook at its E end, but they would still be separated by a rise. A bridge over the brook, here channelized, would further compromise it, in my view. It is not clear to me why a small building could not be located in the present parking lot, which was half empty when we visited, less than two weeks before Christmas.

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Happy New Year Natchaug Steering Committee Members!

Last summer Jana Butts (WINCOG) brought this program to my attention. The Royal Bank of Canada is currently accepting applications for watershed protection projects (\$25,000-\$500,000) with the following key focus areas:

Protection and restoration of sensitive natural areas  
Community-based watershed stewardship  
Sustainable water use and conservation, or Watershed awareness  
Access to clean drinking water

<http://www.rbc.com/community-sustainability/apply-for-funding/guidelines-and-eligibility/blue-water-pre.html>

Jana and I agree this is an excellent fit for the Natchaug Conservation Action Plan and we would like to propose applying for a 2-3 year grant to carry out some of the identified strategies and actions from the CAP - including some funding for a part-time watershed coordinator. WINCOG is eligible to apply as a governmental organization and has graciously offered to serve as the grant administrator/fiduciary agent for the project.

There is a short turnaround for this proposal which is due February 3, 2012 so we don't have time to convene a full steering committee meeting to discuss the project in person. We ask that you please respond by Wednesday January 11, 2012 with:

1. Any comments or concerns about pursuing funding to carry out the strategies and actions identified in the CAP (see NCAP progress 2011 attached)
2. Let us know if you, your organization or your town would be interested in being included as a partner, stakeholder or providing a letter of support
3. Let us know if you would like to be involved in the proposal process

Thank you so much for your attention to this exciting opportunity!

Best,  
H.

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Holly Drinkuth  
Director, Connecticut Outreach Programs  
[hdrinkuth@tnc.org](mailto:hdrinkuth@tnc.org)<<mailto:hdrinkuth@tnc.org>>  
Office - 860-774-9600 Ext. 19  
Fax - 860-774-9480  
[nature.org](http://nature.org)<<http://nature.org>>

The Nature Conservancy  
Quinebaug Highlands Project  
139 Wolf Den Road  
Brooklyn, CT 06234

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## Apply for a Grant

Thank you for sharing our commitment, and your interest in receiving financial assistance from the RBC Blue Water Project™.

There are two types of grants available.

**Leadership Grants:** Ranging from \$25,000 to \$500,000, these grants focus on watershed protection and/or access to safe drinking water and are available to local, regional, national or trans-border organizations for projects in any of the countries in which RBC is located, including Canada, the United States, the Caribbean and the U.K.

The 2012 window for Leadership Grant application submissions is now open. Applications are due February 3, 2012. Applicants will be notified by July 2012 of the status of their grant application.

**Community Action Grants:** Ranging from \$1,000 to \$5,000, these grants are focused on watershed protection and are available to local or community organizations in Canada, the United States or the Caribbean. Some restrictions apply. Please note that due to a high volume of applications, the response time may be longer than usual.

Before you begin the application process, please:

1. Ensure that your organization is eligible to receive a grant by checking our [eligibility requirements](#) (Leadership Grant applicants only).
2. If you meet these initial requirements, please select the type of grant you wish to apply for, and respond to the questions that will appear.

If the answers you provide confirm the eligibility of your project, you will be prompted to download and complete a grant application form, or complete an online application.

### \* Required Information

#### Eligibility Questions

\* Which RBC Blue Water Project Grant would you like to apply for?

- ☐ Leadership Grant  
☐ Community Action Grant

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## RBC Blue Water Project™ Guidelines & Eligibility

RBC Blue Water Project offers:

- Leadership Grants. These grants range from \$25,000 to \$500,000, are awarded annually and are directed to organizations that are leaders in providing programs in North America and other countries where we do business; and
- Community Action Grants. These grants range from \$1,000 to \$5,000, and focus on local watershed protection. They are available on an on-going basis to local or community organizations in Canada, the United States or the Caribbean.

### [What We Fund](#)

We have narrowed our focus to two areas so our donations can make a measurable, meaningful difference to communities and the environment. We are looking for programs that are dedicated to one of these areas:

#### **Watershed protection**

Programs and projects that focus on:

- Protection and restoration of sensitive natural areas
- Community-based watershed stewardship
- Sustainable water use and conservation, or
- Watershed awareness

#### **Access to clean drinking water**

Programs and projects that focus on making sure communities have access to clean, safe drinking water, when and where it is needed.

### [Who Can Apply](#)

Organizations applying for RBC Blue Water Project™ grants must be a CRA federally registered charity in Canada, or be considered a qualified donee under the Canadian Income Tax Act, or have IRS 501 (c)3 status in the United States, or if outside Canada or the United States, have official charitable status as designated by local regulatory authorities.

RBC doesn't accept applications from any of the groups mentioned as exclusions in our [general donations guidelines](#), nor from post-secondary institutions that have received capital funding from RBC in the last ten years.

### [Terms and Conditions](#)

We do not fund programs or projects that:

- Take place in countries where we do not have a business presence
- Have goals that are purely research



Town of Mansfield  
Agenda Item Summary

To: Town Council  
From: Matt Hart, Town Manager *Matt H*  
CC: Maria Capriola, Assistant to Town Manager; Lon Hultgren, Director of Public Works; Linda Painter, Director of Planning and Development  
Date: January 9, 2012  
Re: Community Water/Wastewater Issues – K. Heidinger Correspondence

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Subject Matter/Background

Attached please find the previously distributed October 31, 2011 letter from Mr. Kurt Heidinger as well as a new letter dated December 14, 2011. As discussed at the December 12, 2011 meeting, I have prepared a draft response to Mr. Heidinger's October communication, should you choose to respond. Staff has not had an opportunity to review the concerns raised in the December correspondence.

Among other matters, in his December 2011 correspondence Mr. Heidinger notes his concern regarding the regulation of the UConn water system. While the state Attorney General has ruled that UConn is not considered a "water company" under state statute, the University is subject to the state's water quality regulations.

There are a host of issues regarding the future of the Town's water supply that we will address over time as we move forward with the Four Corners water and sewer project and our collaborative effort with UConn to bring additional water supply to Mansfield to serve both university and municipal needs. These issues include the regulation of the water supply system, as noted by Mr. Heidinger in his October correspondence, the issue of governance and other items. With respect to the existing governance model, the Town has two representatives (Town Manager and Director of Planning and Development) that serve on the UConn water and wastewater policy advisory committee. At a staff level, we have informed our University counterparts that the Town would most likely seek changes in the governing structure to provide the municipality with a greater say in water and wastewater policy issues if Mansfield were to make a substantial investment in a shared water and wastewater system.

In staff's view, we need to continue to work through these policy issues in a deliberative way in partnership with the University. We see the first major step as

completing the environmental impact evaluation (EIE) to determine whether we have feasible alternatives to bring additional water supply to serve university and municipal needs. Assuming that we are eventually able to identify this additional water supply source, we would be in a better position to address these other policy matters such as governance and the regulatory framework.

Staff will be available at Monday's meeting to address any potential response to Mr. Heidinger's communications as well as the additional points that I have highlighted.

Attachments

- 1) K. Heidinger correspondence dated 10/31/11
- 2) K. Heidinger correspondence dated 12/14/11
- 3) D. Morse & J. Hall correspondence dated 12/27/11
- 4) Draft response to K. Heidinger 10/31/11 correspondence

Kurt Heidinger  
1 Stage Rd.  
Westhampton, MA  
01027

Mansfield Town Council  
Audrey P. Beck Municipal Building  
4 South Eagleville Road  
Mansfield, CT 06268

10.31.11

Dear Mansfield Town Council,

I have attached the Attorney General's formal opinion of 2000, that says the University of Connecticut is not a water company. This opinion is of importance to the Council, because it organizes the legal responsibilities and obligations of government agencies empowered by statutes to regulate the management of public water systems, like the one that provides water to Mansfield Town Hall, and private businesses and citizens in Storrs.

The opinion is of importance to the Council, also, because the Attorney General acknowledged that it placed the publicly-owned water system in Storrs into a nebulous legal and regulatory status, that has no parallel in the state. A result of the opinion is that the publicly-owned water system in Storrs lies outside of some or all of the water company statutes, all alone by itself—which creates regulatory confusion, as each agency is acting without surety of the empowerment those statutes provide. For this reason, he and Representative Denise Merrill supported legislation raised by Senator Donald Williams to return the publicly-owned water system in Storrs to the regulatory regime standard and normal for every other public drinking water source, urban or rural, in the state. This legislation, and another similar bill raised by Senator Williams, failed to pass and become law.

Because of this, the Town of Mansfield and significant group of private business owners and citizens are buying a water product that is not regulated according to the norms enjoyed by water consumers everywhere else in the state.

Moreover, the nebulous legal and regulatory status of the publicly-owned water system in Storrs remains nebulous, as can be ascertained by the next two documents I have attached.

In 2000, the University formalized the water service it provides to Mansfield—"the town will pay the University"—in document "B" which, as the most recent agreement held in Mansfield's town records, has legal bearing. The next document ("C") plainly reveals UConn is *not* supplying, or being paid for, the water Mansfield gets from the publicly-owned water system in Storrs. The Connecticut Water Company is. Is UConn not in breach of contract, in at least two ways, then?

For this reason—and in the political context of the planning for, and institution of, a much larger, vastly more expensive & complex, publicly-owned water system in Storrs—it is the Council's responsibility to its constituents to know exactly what entity is supplying Mansfield with water, and under what regulatory regime—and where the paperwork is for all of this.

Without the paperwork, anything goes—and that's no way to manage an absolutely vital large public water system, whose short- and long-term economic value exceeds that of any infrastructure.

These questions are answerable, and the Council must honorably exercise the powers vested in it to get them answered:

1) The final attached document "D," states the "UNIVERSITY shall bill the TOWN."

Does the University bill the town?

If so, can these billing records be produced for the Council's perusal?

Does the University "establish unit water service, rates and charges to recover water system operation, maintenance, administrative, and overhead costs on an annual basis...prior to the first billing of each fiscal year"?

If so, can these records be produced for the Council's perusal?

Does the University "establish unit sewer service rates and charges to recover their sewer system operation, maintenance, administrative, and overhead costs on an annual basis...prior to the first billing of each fiscal year"?

If so, can these records be produced for the Council's perusal?

Is the water and sewer agreement, "renewed on an year-to-year basis"?

If so, can these records of agreement authorizing the annual renewals be produced for the Council's perusal?

2) If UConn has sub-contracted Connecticut Water to sell water to Mansfield, does the Town of Mansfield have a legal record—a signed contract—that authorizes this sub-contracting, and that clearly delineates the services Connecticut Water is providing?

If so, can it be produced for the Council's perusal?

3) If UConn has sub-contracted Connecticut Water to sell water to Mansfield, is the constellation of statutes that apply to water companies now applicable, and if so, is there an authorized statement—a signed contract—that confirms this?

Can it be produced for the Council's perusal?

4) If the town of Mansfield and a significant group of private business owners and citizens in Storrs are being directly billed by, and buying water from, the Connecticut Water Company, does Mansfield have a signed contract with Connecticut Water Company in its records?

If so, can it be produced for the Council's perusal?

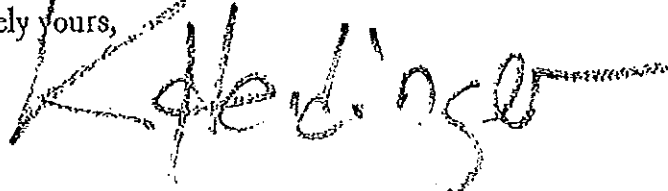
5) If UConn has vacated its title to the publicly-owned water system in Storrs, and conferred it to Connecticut Water Company, does the town of Mansfield have a record of this?

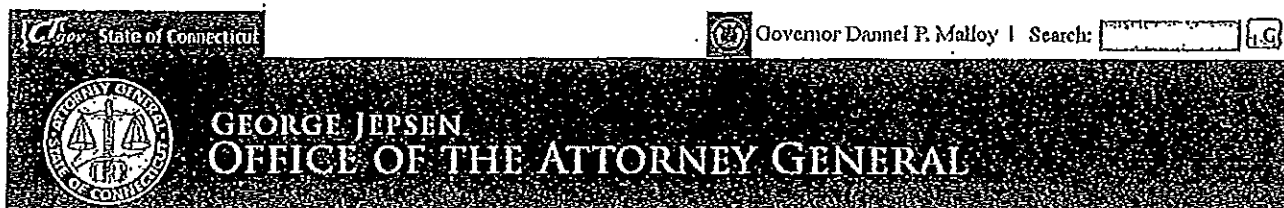
If so, can it be produced for the Council's perusal?

With the highest respect for the duties you ably shoulder,  
of honoring and protecting the rights, health and economic well-being  
of the businesses and citizens you serve,

I await your report that ascertains what entity is supplying Mansfield and a significant group of private business owners and citizens in Storrs with water, and ascertains under what regulatory regime (else there is no regime), and ascertains where in your town offices the paperwork is for all of this,

sincerely yours,





## Attorney General's Opinion

Attorney General, Richard Blumenthal

November 29, 2000

Philip E. Austin  
President  
University of Connecticut  
352 Mansfield Road  
U-4B  
Storrs, CT 06269

Dear President Austin:

Watershed lands are among Connecticut's most precious natural resources -- a legacy for future generations that we have a responsibility to preserve and protect. Besides their vital role in protecting the purity of the state's water supplies, the natural beauty of these lands, undisturbed and tranquil, provides a refuge and respite from development and commercialism. These pristine lands are irreplaceable; once developed they are forever lost.

For these reasons, almost 25 years ago the Connecticut legislature took direct and significant action to stop the loss of these lands, setting forth a primary policy and objective to preserve and conserve watershed land as open space. The State's policy was embodied in a moratorium on utility company land sales, a land classification system and a requirement of prior notification of proposed land sales to the State, municipalities and private conservation groups, providing them with a first option to purchase such property. Twice, this system was successfully defended against constitutional attack, all the way to the United States Supreme Court. The State's commitment to these lands has been consistently renewed yearly through significant appropriations made by the Connecticut legislature for their purchase and preservation.

As part of the program known as UConn 2000, a vital component of the State's commitment to higher education, the University of Connecticut has undertaken development and expansion of its campus to increase and enhance the educational opportunities that the University offers. This extremely important program has involved development of watershed land where the University is situated. As a consequence of the continuation of the UConn 2000 program, you have asked the Department of Public Health and this office whether, as a matter of law, the University is a "water company" as that term is defined in the General Statutes, subjecting the University's watershed land to the statutory protections and restrictions imposed on private utility companies.

According to the plain language of the law, the University is not a "water company" within the narrow definition contained in the statute, that is, for purposes of the State's watershed land development restrictions. A clear and long settled principle of law provides that the State is not subject to a statutory requirement or responsibility unless there is a specific reference to the State or its agencies in the statute. *State v. Shelton*, 47 Conn. 400 (1879); *Charter Communications Entertainment v. University of Connecticut*, 2000 Conn. Super. LEXIS 770. In this case, the definition of "water company" set forth in *Conn. Gen. Stat. § 25-32a* does not specifically refer to the State or its agencies and it is, therefore, inapplicable to them. In contradistinction, the State is specifically referenced in *Conn. Gen. Stat. § 25-32(a)*, as amended by *Public Act 00-90*, subjecting the University to the State's regulation of the purity and adequacy of the water that it supplies to its students.

While as a legal matter the University is not subject to the panoply of valuable protections established by the State to preserve watershed property, the University should carefully consider whether each step of continuing development at the University is consistent with the State's long and firmly established statutory policy to conserve and preserve watershed and open space land. I am confident that these significant state policies, designed to further both education and the environment, can be harmonized for the benefit of all Connecticut citizens. Indeed, protecting natural resources -- watershed areas specifically and the environment generally -- can enhance your educational mission by setting a good example of advancing the spirit of the law, as well as complying with its letter.

Very truly yours,

RICHARD BLUMENTHAL  
ATTORNEY GENERAL

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University of Connecticut  
Office of the President

B

Thomas Q. Callahan  
Assistant Vice President

July 6, 2000

Mr. Martin Barliner  
Town Manager's Office  
4 South Eagleville Road  
Mansfield, CT 06268

Dear Marty:

I write to respond formally to the Town of Mansfield's request to the University to provide water to the Town's proposed community center.

As you know, the University already provides water to several commercial, residential and municipal users in Mansfield. A partial list of the users who presently rely on the University's water system includes the Mansfield Town Hall, Region 10 E.O. Smith High School, the Mansfield Senior Center, Wright's Village Apartments, Glen Ridge Cooperatives, Hollinko Estates Apartments and the Storrs commercial area. Over the past several years, the University's water capacity and supply plan has been of ongoing interest to Mansfield's elected officials, which is understandable in light of the University's presence in Mansfield and the reliance of so many of the town's residents and businesses rely on the University's water system. The importance of water supply may likely become more pronounced due to our recent agreement to work together to strengthen the commercial areas adjacent to the University or to undertake other projects under consideration such as assisted living facilities.

We are delighted that earlier this month the Town Council authorized you to prepare a comprehensive water supply plan that projects the demands of Mansfield's residential, commercial and municipal users over the next 10 to 30 years and evaluates the Town's options for meeting this demand. This is an important strategic issue for both Mansfield and the University. We will support your efforts in every possible way.

It is within this broader context that I am authorized to inform you that the University will provide water for the community center pursuant to following framework. It is our understanding that the community center will be located adjacent to Audrey Beck Municipal Building and that the projected water demand for this new facility is approximately 8,000 gallons per day. The town assumes sole responsibility for all costs incurred for connecting to the University's existing water lines. The plans for connecting must be reviewed and approved by the University. In addition, the town will pay the University the prevailing water rate based on actual metered usage. We expect the incremental demand placed on the University's water supply by the community center, as well as the ongoing demand of Mansfield's municipal, commercial and residential users presently connected to the University's water system, will be included in the Town's water supply analysis. We also expect that these users would be serviced in the future by whatever alternative the Town ultimately chooses to pursue.

An Equal Opportunity Employer

352 Mansfield Road, Gully Hall, U-48  
Storrs, Connecticut 06269-2948

Telephone: (860) 486-2927  
Facsimile: (860) 486-2627

Marlin Berina

-2-

July 5, 2000

The University recognizes that the community center is a priority for Mansfield's elected officials and residents. We are pleased that the University is once again able to assist you.

Sincerely,



cc: R. Auelin, J. Petersen, D. Dreyfus, L. Schilling

Info: The Honorable Donald Williams, The Honorable Edith Pralgo,  
The Honorable Tony Guglielmo, The Honorable Denise Merrill



Town of Mansfield

South Eagleville Road  
Storrs, CT 06268

Purchase Order # 22382

MUNICIPAL TAX DEPT

PO Box 22382

FINANCE DEPARTMENT  
TOWN OF MANSFIELD  
SOUTH EAGLEVILLE ROAD  
STORRS, MANSFIELD, CT 06268-0000

FINANCE DEPARTMENT  
TOWN OF MANSFIELD  
SOUTH EAGLEVILLE ROAD  
STORRS, MANSFIELD, CT 06268-0000

NEWUS  
CONNECTICUT WATER COMPANY  
PO BOX 5683  
MANCHESTER, NH 03107-5683

VC

AUG 16 2001											

23438738425115860

Initials of  
City Clerk  
Date  
City Clerk

*[Signature]*

TOWN OF MANSFIELD  
UNIVERSITY OF CONNECTICUT  
SEWER & WATER SERVICE AGREEMENT

This agreement shall become effective on the 1st day of January, 1989, between:

THE TOWN OF MANSFIELD, acting by and through its Town Council, hereinafter referred to as "TOWN";

THE UNIVERSITY OF CONNECTICUT, acting by and through its Board of Trustees, hereinafter referred to as "UNIVERSITY";

WITNESSETH,

WHEREAS, Special Act No. 78-79 and Public Act No. 89-544 of the State of Connecticut, legislative authority, the UNIVERSITY to enter into agreement with the Mansfield Retirement Community, Inc., the Town of Mansfield, and the Mansfield Housing Authority to provide sewer and water service to facilities for predominantly low and moderate income elderly persons; and

WHEREAS, extensions of the UNIVERSITY's sewer and water systems have been made for these purposes, and said systems are now in place, complete and functional; and

WHEREAS, UNIVERSITY also supplies water to and collects sewerage from the Audrey P. Beck Municipal Building; and

WHEREAS, TOWN and UNIVERSITY are now jointly interested in entering into a formal agreement with each other setting forth the terms and conditions of all said water and sewer services; and

WHEREAS, the terms and conditions of said sewer service have been set forth in the UNIVERSITY's sewer operating ordinance approved by the Connecticut Department of Environmental Protection and U.S. Environmental Protection Agency, attached hereto in part as Appendix A, and by reference made a part hereof; and

NOW, THEREFORE, in consideration of the above premises and the agreements and commitments hereinafter following, TOWN and UNIVERSITY do hereby agree as follows:

I. WATER SERVICE TERMS AND CONDITIONS:

UNIVERSITY shall provide water service for the Mansfield Retirement Community, Inc. (Juniper Hill), the Town of Mansfield Senior Center, the Town of Mansfield Housing Authority's Wright's Village development and the Mansfield Cooperative's Glen Ridge for a maximum population of approximately five hundred (500) persons, and water service to the Audrey V. Beck Building and Mansfield Housing Authority's Holinka Estates as set forth herein. In addition, water service shall be provided to a nursing facility of one hundred twenty (120) bed maximum when and if such facility is constructed. Said water service shall be in accordance with the quality, quantity and pressure standards for potable water as set forth in sections 19-13-B102 of the Connecticut Public Health Code, excepting that no fire hydrants shall be permitted in the distribution lines beyond the juncture with the UNIVERSITY'S 8" line at the intersection of Westwood and South Eagleville Roads.

UNIVERSITY shall maintain adequate sources of supply, treatment facilities, storage facilities, and distribution lines to provide said water service now and for the terms of this Agreement except that the TOWN shall maintain or cause to be maintained all distribution lines, meters and auxiliaries associated with the above referenced facilities beyond the juncture with the UNIVERSITY'S 8" line at the intersection of Westwood and South Eagleville Roads in accordance with the UNIVERSITY'S operation and maintenance methods and accepted standards for water distribution systems.

UNIVERSITY shall bill the TOWN for the water consumed by the above referenced facilities. Said billings shall be on a semi-annual basis based on meter readings located at or near these establishments.

UNIVERSITY shall establish unit water service rates and charges to recover water system operation, maintenance, administrative and overhead costs on an annual basis. Said rates shall be communicated to TOWN as soon as possible after being established or revised, and prior to the first billing of each fiscal year.

II. SEWER SERVICE TERMS AND CONDITIONS:

UNIVERSITY shall receive sanitary sewage generated only by the facilities named in the first paragraph of Section I above.

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TOWN shall cause said sewage from these facilities to be delivered to the UNIVERSITY's sewer system by means of owned and maintained system consisting of a pump station located on Eagleville Road and a 6" force main located on South Eagleville Road, Westwood Road, and Hillside Circle discharging into the UNIVERSITY's gravity sewer system.

TOWN shall be responsible for the operation and maintenance of said pump station and force main in accordance with UNIVERSITY specifications and standard operation procedures at no cost to UNIVERSITY. To this end, TOWN shall permit UNIVERSITY inspection and approval of town design, construction, maintenance and operation of these facilities whenever appropriate.

UNIVERSITY shall maintain, expand and enlarge, as necessary, any and all of its facilities so as to maintain adequate collection and treatment facilities for said sewage from the TOWN as described above now and for the term of this Agreement.

UNIVERSITY shall bill the town for the sewage accepted from the above referenced facilities.

UNIVERSITY shall establish unit sewer serving rates and charges to recover their sewer system operation, maintenance, administrative, and overhead costs on an annual basis. Said user charges shall be communicated to TOWN as soon as possible after being established or revised, and prior to the first billing each fiscal year.

### III. TERM AND AGREEMENT

This Agreement shall be binding upon the parties, their successors and assigns for a period of five years, and thereafter shall be renewed on a year-to-year basis unless otherwise terminated by either party sixty days in advance of the anniversary date.

Where  
are  
these  
records?

Where  
are  
these  
records?



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IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first above written.

TOWN OF MANSFIELD,  
STATE OF CONNECTICUT

UNIVERSITY OF CONNECTICUT

Martin H. Berliner 6/27/89  
MARTIN H. BERLINER  
Town Manager

Sallie A. Gleason 5/2/89  
SALLIE A. GLEASON  
Vice President for  
Finance and Administration

Recommended as to form  
and content.

Attest:

[Signature]  
Town Attorney

Paul M. Shapiro  
PAUL M. SHAPIRO  
Assistant Attorney General

Kurt Heidinger  
1 Stage Rd.  
Westhampton, MA  
01027

Mansfield Conservation Commission  
Mansfield Town Council  
Audrey P. Beck Municipal Building  
4 South Eagleville Road  
Mansfield, CT  
06268

12.14.11

Dear Mansfield Conservation Commission and Mansfield Town Council,

As the Mansfield Conservation Commission is "charged with advising the Town Council, the Planning and Zoning Commission, and other Town agencies and officials on policies and issues relating to the development, conservation, supervision, and regulation of natural resources (including water resources) within the Town of Mansfield," I am writing in the hopes of clarifying, by stimulating recorded discussion about, exactly what enforcement powers the CT Dept. of Energy and Environmental Protection has as in Storrs's "Aquifer Protection Areas."

I have attached the Attorney General's formal opinion of 2000, that says the University of Connecticut is not a water company. This opinion is of importance to the Commission and the Council, because it organizes the legal responsibilities and obligations of government agencies empowered by statutes to regulate the management of public water systems, like the one that provides water to Mansfield Town Hall, and private businesses and citizens in Storrs.

The opinion is of importance to the Commission and Council, also, because the Attorney General acknowledged that it placed the publicly-owned water system in Storrs into a nebulous legal and regulatory status, that has no parallel in the state. As he pointed out:

A clear and long settled principle of law provides that the State is not subject to a



statutory requirement or responsibility unless there is a specific reference to the State or its agencies in the statute: State v. Shelton, 47 Conn. 400 (1879); Charter Communications Entertainment v. University of Connecticut, 2000 Conn. Super. LEXIS 770. In this case, the definition of "water company" set forth in Conn. Gen. Stat. § 25-32a does not specifically refer to the State or its agencies and it is, therefore, inapplicable to them.

A result of the opinion is that the publicly-owned water system in Storrs lies outside the "water company" statutes. For this precisely this reason, the Attorney General and Representative Denise Merrill supported legislation raised by Senator Donald Williams to return the publicly-owned water system in Storrs to the regulatory regime standard and normal for every other public drinking water source, urban or rural, in the state. This legislation, and another similar bill raised by Senator Williams, failed to pass and become law.

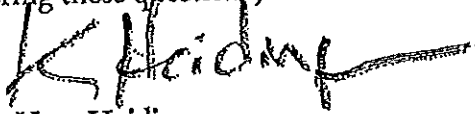
Given your capacities as representatives of Mansfield's interests in ensuring that the publicly-owned water it pays for & consumes is regulated according to state norms,

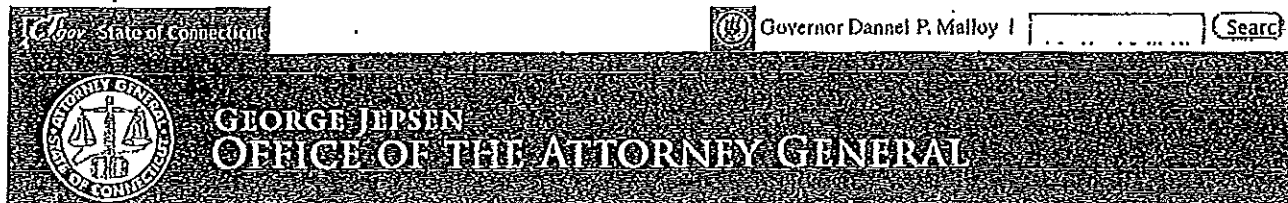
do you know if the University of Connecticut is specifically referred to in CT's Aquifer Protection statutes?

If it isn't, does that mean that the Attorney General is correct:

the DEEP has no statutory power to enforcement its regulations in or over the "Aquifer Protection Areas" in Storrs?

Please accept my thanks for your consideration in contemplating and answering these questions,

  
Kurt Heidinger



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**Attorney General's Opinion**  
**Attorney General, Richard Blumenthal**  
**November 29, 2000**

Phillip E. Austin  
 President  
 University of Connecticut  
 352 Mansfield Road  
 U-48  
 Storrs, CT 06269

Dear President Austin:

Watershed lands are among Connecticut's most precious natural resources -- a legacy for future generations that we have a responsibility to preserve and protect. Besides their vital role in protecting the purity of the state's water supplies, the natural beauty of these lands, undisturbed and tranquil, provides a refuge and respite from development and commercialism. These pristine lands are irreplaceable; once developed they are forever lost.

For these reasons, almost 25 years ago the Connecticut legislature took direct and significant action to stop the loss of these lands, setting forth a primary policy and objective to preserve and conserve watershed land as open space. The State's policy was embodied in a moratorium on utility company land sales, a land classification system and a requirement of prior notification of proposed land sales to the State, municipalities and private conservation groups, providing them with a first option to purchase such property. Twice, this system was successfully defended against constitutional attack, all the way to the United States Supreme Court. The State's commitment to these lands has been consistently renewed yearly through significant appropriations made by the Connecticut legislature for their purchase and preservation.

As part of the program known as UConn 2000, a vital component of the State's commitment to higher education, the University of Connecticut has undertaken development and expansion of its campus to increase and enhance the educational opportunities that the University offers. This extremely important program has involved development of watershed land where the University is situated. As a consequence of the continuation of the UConn 2000 program, you have asked the Department of Public Health and this office whether, as a matter of law, the University is a "water company" as that term is defined in the General Statutes, subjecting the University's watershed land to the statutory protections and restrictions imposed on private utility companies.

According to the plain language of the law, the University is not a "water company" within the narrow definition contained in the statute, that is, for purposes of the State's watershed land development restrictions. A clear and long settled principle of law provides that the State is not subject to a statutory requirement or responsibility unless there is a specific reference to the State or its agencies in the statute. *State v. Shelton*, 47 Conn. 400 (1879); *Charter Communications Entertainment v. University of Connecticut*, 2000 Conn. Super. LEXIS 770. In this case, the definition of "water company" set forth in *Conn. Gen. Stat. § 25-32a* does not specifically refer to the State or its agencies and it is, therefore, inapplicable to them. In contradistinction, the State is specifically referenced in *Conn. Gen. Stat. § 25-32(a)*, as amended by *Public Act 00-90*, subjecting the University to the State's regulation of the purity and adequacy of the water that it supplies to its students.

While as a legal matter the University is not subject to the panoply of valuable protections established by the State to preserve watershed property, the University should carefully consider whether each step of continuing development at the University is consistent with the State's long and firmly established statutory policy to conserve and preserve watershed and open space land. I am confident that these significant state policies, designed to further both education and the environment, can be harmonized for the benefit of all Connecticut citizens. Indeed, protecting natural resources -- watershed areas specifically and the environment generally -- can enhance your educational mission by setting a good example of advancing the spirit of the law, as well as complying with its letter.

Very truly yours,

RICHARD BLUMENTHAL  
 ATTORNEY GENERAL

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[Back to Opinions Page](#)

David Morse & Joan Joffe Hall  
64 Birchwood Hts.  
Storrs, Connecticut 06268

27 December 2011

Dear members of the Mansfield Conservation Commission:

This letter to apprise you of our efforts as customers of Connecticut Water Co. to obtain information as to whether our local water distribution system falls under the purview of those laws and regulations that govern public water elsewhere. That's the substance of a letter we addressed to Attorney General George Jepsen, dated 21 September 2011. (Please see attached.)

In subsequent phone exchanges with the Attorney General's office, we learned that our query was forwarded first to the A.G.'s Environment Protection office, given a File # 401017, and then ended up with the Health and Education Dept. Our correspondent, Cindy, was to get back to us. In a phone call earlier this month she explained that the A.G. did not offer rulings in response to inquiries from the public.

We feel a bit stymied. As customers of Connecticut Water Co. and citizens of Mansfield, we don't know whether our watershed and distribution system is afforded the same oversight, protections, and public governance that protect other systems. The situation seems murky and poorly understood by town authorities. The need for clarification is of special concern in light of (1) UConn's refusal last February to provide water for an assisted-living center in town, and (2) as UConn and/or the Town of Mansfield seek to expand the water supply to accommodate increased demand from the proposed industrial park and for development at Four Corners.

In addition, Mansfield, Coventry and Tolland have received a grant to coordinate regional development. Necessarily this will include cooperation around water resources. It is vital for planning purposes to determine whether any such expansion effort is undertaken in an environmentally and responsible manner, and whether Connecticut Water Co. is operating within the body of law that governs water companies.

Knowing that the Conservation Commission is charged with advising the Mansfield Town Council and the Planning and Zoning commission on issues pertaining to the development, conservation, supervision and regulation of water resources, we raise this concern with you and ask that this letter and the attached letter to the Attorney General become part of the public record.

Thank you for your consideration. We hope the issue can be resolved soon.

Sincerely,  
David Morse & Joan Hall

Cc: Linda Painter, Director Planning & Development

Handwritten signatures of David Morse and Joan Hall. David Morse's signature is in dark ink, and Joan Hall's signature is in lighter ink.

David Morse & Joan Joffe Hall

64 Birchwood Hts.  
Storrs, Connecticut 06268

21 September 2011

George Jepsen, Attorney General  
State of Connecticut  
55 Elm St.  
Hartford, CT 06106

Dear Attorney General Jepsen,

As you can see from the enclosed receipt, we live in Storrs, and are paying customers of Connecticut Water, Inc.

In your capacity as protector of the public interest, could you please give us a list of the drinking-water watershed land-protection statutes that, in the wake of Formal Opinion 2000-032, CT Water is required by law to follow?

I ask for this enumeration because we pay for a drinking-water product and would like to see, in writing, that our water is produced and protected in accordance with the same laws governing all other large drinking-water producers in Connecticut.

Thank you.

Sincerely,

David Morse and Joan Hall

**TOWN OF MANSFIELD**  
**OFFICE OF THE TOWN MANAGER**



Matthew W. Hart, Town Manager

AUDREY P. BECK BUILDING  
FOUR SOUTH BAGLEVILLE ROAD  
MANSFIELD, CT 06268-2599  
(860) 429-3336  
Fax: (860) 429-6863

January XX, 2012

Mr. Kurt Heidinger  
1 Stage Road  
Westhampton, Massachusetts 01027

Dear Mr. Heidinger:

The Town Council has authorized me to respond to your correspondence dated October 31, 2011. While I cannot provide specific detail on several of your questions, I can provide some answers and guidance. I have responded below to each of your questions in the order in which you presented them.

- 1) In 1989, the Town and the University executed its sewer and water service agreement. The Town Council does not specifically authorize the renewal of the agreement on an annual basis as the contract automatically "rolls-over" each year. As set out in section III, either party may terminate the agreement within 60 days of the anniversary date (January 1<sup>st</sup> of each year).

The University does bill the Town for water and sewer service, using Connecticut Water Company (CWC) as its operator and manager. The University does periodically adjust its rates for these services. The Town's billing records are certainly available to the Town Council, and members of the public who wish to access these records may submit a request under the Town's Freedom of Information Act (FOIA) policy. The Town maintains these billing records for the length of the state-required records retention period.

- 2) The Town has a copy of the University's 2006 contract with CWC and you can obtain a copy of this document by filing an FOIA request with our Town Clerk's Office. The Town does not have a copy of the University's 2010 renewal or extension agreement with CWC and I would refer you to UConn or CWC to obtain a copy of that document.
- 3) My understanding is that UConn's contract with CWC has not affected the applicability of state statutes regarding water companies to the University. However, I would direct you to the University or other appropriate state agency for a more specific response to this question.

- 4) The Town contracts with the University and does not have a separate contract with CWC.
- 5) My understanding is that the University has not transferred ownership of any of its assets to CWC. CWC serves as the operator and manager of the University's water supply system and has not assumed ownership of any of the infrastructure.

I hope that this information is helpful to you.

Sincerely,

Matthew W. Hart  
Town Manager

CC: Town Council  
Barry Feldman, Chief Operating Officer, University of Connecticut  
Richard Orr, Executive Officer, University of Connecticut

**Mansfield Open Space Preservation Committee**  
**DRAFT Minutes of December 20, 2011 meeting**

Members present: Jim Morrow (chair), Vicky Wetherell, Sue Westa, Quentin Kessel, Ken Feathers.

1. Meeting was called to order at 7:30.
2. Vicky was appointed acting secretary.
3. Minutes of the November 22, meeting were approved.

**4. Opportunity for Public Comment**

No comments.

**5. Old Business**

None.

**6. New Business**

None.

**7. Executive Session**

The committee went into executive session at 7:35 and came out of executive session at 8:55. The committee's recommendations from Executive Session will be forwarded to the Town Council.

8. Meeting adjourned at 8:55.

9. Next meeting on January 24, 2012.

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MINUTES  
MANSFIELD PLANNING AND ZONING COMMISSION  
Regular Meeting  
Monday, December 19, 2011  
Council Chamber, Audrey P. Beck Municipal Building

Members present: J. Goodwin (Chairman), M. Beal, R. Hall, K. Holt, P. Plante (until 7:15 p.m.),  
K. Rawn, B. Ryan,  
Members absent: G. Lewis, B. Pociask  
Alternates present: B. Chandy, V. Ward  
Staff Present: Linda M. Painter, Director of Planning and Development  
Curt Hirsch, Zoning Agent

Chairman Goodwin called the meeting to order at 7:00 p.m. and appointed alternates Chandy and Ward to act in members' absence.

**Minutes:**

December 5, 2011 Meeting: Hall MOVED, Ryan seconded, to approve the 12/5/11 Meeting minutes as written. MOTION PASSED UNANIMOUSLY.

December 13, 2011 Field Trip: Beal MOVED, Ryan seconded, to approve the 12/13/11 minutes as written. MOTION PASSED with Goodwin, Beal, Holt, Ryan and Rawn in favor and all others disqualified.

**Zoning Agents Report:**

Noted.

**Old Business:**

a. **Special Permit Application For Wedding Venue (PZC File #1217-2)**

**552 Bassetts Bridge Road, J. & J. Bell owner/applicant**

Plante MOVED, Holt seconded, to approve with conditions the special permit application (File #1217-2), The Gardens at Bassetts Bridge Farm, for use as a wedding and brunch venue from May, through October, as submitted to the Commission and shown on site plans dated September 19, 2011 revised through 11/15/2011, building plans revised through September 29, 2011 and as described in other application submissions and as presented at Public Hearings on September 6, 2011, October 3, 2011 and November 21, 2011.

This approval is granted because the application as hereby approved is considered to be in compliance with Article V, Section B and other provisions of the Mansfield Zoning Regulations and is granted with the following conditions:

1. This approval, which authorizes the seasonal operation of a wedding and brunch venue, is specifically tied to the applicant's submissions and the conditions cited in this motion. Unless modifications are specifically authorized, the proposed use and site improvements shall be limited to those authorized by this approval and previous approvals. Any questions regarding authorized uses, required site improvements, and conditions cited in this approval, shall be reviewed by the Zoning Agent and Director of Planning and Development and, as appropriate, the Planning and Zoning Commission.

2. No Zoning Permit shall be issued for Phase 1 site improvements until the following conditions are met:
  - a. Temporary/portable venue sign details have been submitted and approved by the Director of Planning and Development
  - b. Any entrance light used, whether provided by Connecticut Light and Power or the applicant, shall be dark sky compliant.
  - c. On-site parking lot and driveway lighting fixtures shall be dark sky compliant.
3. A Temporary Special Outing Facility Permit is approved as part of this special permit application subject to the applicant providing written approval from the Mansfield Police Department prior to any event at which alcohol is to be served. The applicant shall provide documentation verifying that they have complied with the Department of Consumer Protection Liquor Control regulations. Failure to comply with any conditions of the Police Department approval or problems resulting from the provision of alcoholic beverages may result in reconsideration of the Temporary Special Outing Facility Permit by the Planning and Zoning Commission.
4. A live music permit is approved as part of this special permit application subject to the following conditions:
  - a. Noise levels shall not exceed the maximum decibel levels at the property line established in Chapter 134 of the Mansfield Code of Ordinances (55 dBA daytime; 45 dBA nighttime).
  - b. Repeated noise complaints and/or violations may result in reconsideration of the live music permit by the Planning and Zoning Commission.
5. The applicant shall not apply for a Zoning Permit for Phase 2 improvements (restroom addition to barn and installation of the septic system) until a report prepared by a sanitary engineer, geologist or other qualified professional pursuant to the requirements of Article VI, Section B.4.m.1 regarding potential impact from the proposed septic system on the aquifer has been submitted to the Commission for review and approval. Such report should include any necessary mitigation measures, including relocation of the system if necessary to ensure that the waste disposal system discharges will not contaminate aquifer recharge areas. The Commission may refer the report to the Mansfield Health Officer, the Mansfield Conservation Commission, Connecticut Department of Health and Connecticut Department of Energy and Environmental Protection for review and comment prior to making a decision.
6. Zoning Permits for Phases 2 and 3 shall not be issued until the applicant has secured the necessary approvals from the Eastern Highlands Health District and Department of Public Health.
7. Approval to operate a Sunday brunch shall not become effective until the Phase 3 improvements have been completed. Times, seating capacity and menu shall be as identified in the statement of use. The previous café approval shall become invalid once the brunch operation commences.
8. The applicant shall employ best management practices as recommended by the Department of Energy and Environmental Protection and USDA Natural Resources Conservation Service for the application of manure, fertilizer or pesticides.
9. This permit shall not become valid until the applicant obtains the permit form from the Planning Office and files it on the Land Records.

MOTION PASSED with all in favor except Hall and Chandy, who disqualified themselves.

b. **Special Permit Application for Building Replacement and Expansion (PZC File #937-5)**

**173 Storrs Road, Natchaug Hospital owner/applicant**

Holt MOVED, Plante seconded, to approve with conditions the special permit application (File #937-5), Natchaug Hospital, for demolition of the existing building at 173 Storrs Road and construction of a new facilities management building, as submitted to the Commission and shown on plans dated 8/16/2011 revised through 11/15/2011, building plans dated September 26, 2011 and as described in other application submissions and as presented at Public Hearings on November 7 and November 21, 2011.

This approval is granted because the application as hereby approved is considered to be in compliance with Article V, Section B and other provisions of the Mansfield Zoning Regulations and is granted with the following conditions:

1. This approval, which authorizes the demolition of an existing building and construction of a new facilities management building, is specifically tied to the applicant's submissions and the conditions cited in this motion. Unless modifications are specifically authorized, the proposed use and site improvements shall be limited to those authorized by this approval and previous approvals. Any questions regarding authorized uses, required site improvements, and conditions cited in this approval, shall be reviewed by the Zoning Agent and Director of Planning and Development and, as appropriate, the Planning and Zoning Commission.
2. No Zoning Permit shall be issued until the following conditions are met:
  - a. The plans for serving the subject building with public water and sewer service have been approved by the Windham Water Works;
  - b. Plans for location and screening of HVAC equipment have been submitted and approved by the Director of Planning and Development;
  - c. Details on location and type of exterior wall mounted lighting fixtures have been submitted and approved by the Director of Planning and Development; and
  - d. A handicap accessible parking space that meets current State Building Code requirements is added to the parking lot if required by the Building Official.
3. Plans submitted for building permit approval shall comply with the conditions contained in the memo from the Deputy Fire Marshall dated November 17, 2011.
4. The applicant shall ensure that the grounds maintenance staff is educated on maintenance procedures contained in the Stormwater and Landscape Management Plan dated November 21, 2011. The applicant shall be responsible for ensuring that all maintenance procedures are followed.
5. This permit shall not become valid until the applicant obtains the permit form from the Planning Office and files it on the Land Records.

MOTION PASSED with all in favor except Chandy who disqualified herself.

c. **Cease and Desist Order-Freedom Green (PZC File #636-4)**

Item tabled pending staff review of plans submitted to the Office on Monday, December 19, 2011. The Cease and Desist order, as per motion of December 5, 2011, remains in full force and effect.

d. **Interstate Reliability Project**

Attorney John D. Yarbrough, Jr. of Carmody & Torrance, and Anthony Mele, CL&P Interstate Reliability Project Manager, introduced themselves and stated that they are present to answer any questions the public or Commission might have regarding the project.

Linda M. Painter, Director of Planning & Development, summarized her memo sent via email to members on 12/15/11 and briefed the Commission on the background of the project and supplied a comparison of the previous 208 proposal to the current proposal.

Rich Civie, Beech Mountain Road, expressed concern that Mansfield will be paying for the power problems and needs in southwestern CT, noting that there will be detrimental impacts to Mansfield with no benefit. He felt that underground transmission would be the best option in Mansfield other than by-passing Mansfield all together. He suggested a committee be formed to go before the Siting Council and volunteered to be on it.

Mr. Mele stated that they anticipate filing the application with the Siting Council on Friday, December 23<sup>rd</sup> and noted that the Siting Council first holds open forums in the region for citizens to express concerns and ask questions. They anticipate the Siting Council Public Hearings will be held in the spring after the forums.

Holt stated, and by consensus the Commission agreed, that the letter the PZC sent to the council regarding the previous proposal is still adequate if updated to include that the PZC prefers the underground method throughout all of Mansfield. Painter agreed to have a draft letter prepared for the next meeting.

Additional conversation took place prior to the conclusion of the meeting. Beal suggested underground installation where CL&P proposes it in southwestern Mansfield should be acceptable, along with a request that it continue underground from the apex of Beech Mountain through Mansfield Hollow Reservoir, rather than from tower line to tower line as proposed. Discussion continued regarding the potential for disturbance at the Reservoir and park, and the crossing of the reservoir. Rawn asked that the Director request a cost estimate for underground installation from CL&P.

e. **Continued Discussion of By-Laws**

Item tabled.

f. **Special Permit Application for Fill (PZC File #1306)**

**28 Old Kent Road, J. James owner/applicant**

Item tabled, pending Public Hearing scheduled for 1/3/2012.

g. **Special Permit Application, Addition to Eastbrook Mall & Freestanding Building (PZC File #1307)**

**95 Storrs Road, New England Design/applicant**

Item tabled, pending Public Hearing scheduled for 1/3/2012.

**New Business:**

a. **Request to amend Conservation Easement/Hawthorne Lane Subdivision**

Linda M. Painter, Director of Planning and Development, summarized her memo which explained the request. Chris Duers, one of the affected property owners, stated that this request is a contingency plan if the Interstate Reliability Project proceeds, and that this request would protect the properties and quality of life for the residents of Hawthorne Lane. After discussing the proposal, the consensus of the Commission was that the proposed request to amend the Conservation Easement is appropriate and advised the residents to have a map prepared for the next meeting.

b. **8-24 Referral Re: Dog Lane Utility Easement**

Ryan MOVED, Holt seconded, that the PZC report to the Town Council that the PZC recommends that the Town Manager be authorized to grant the proposed utility easement to Connecticut Light and Power as it is consistent with Mansfield's Plan of Conservation and Development, the approved Storrs Center Master Plan and the Development Agreement between the Town and Storrs Center Alliance. MOTION PASSED UNANIMOUSLY.

c. **Special Permit Application, Cumberland Farms, (PZC File #1303-2)**

**643 Middle Turnpike & 1660 Storrs Road, Cumberland Farms, Inc./applicant**

Rawlson MOVED, Holt seconded, to receive the Special Permit application (file #1303-2 ) submitted by Cumberland Farms Inc., for a Convenience Store and Gas Station on property located at 643 Middle Turnpike and 1660 Storrs Road as shown on plans dated 12-9-11 as shown and described in application submissions, and to refer said application to staff and committees, for review and comments and to set a Public Hearing for 1-17-12. MOTION PASSED UNANIMOUSLY.

**Reports from Officers and Committees:**

Beal noted that the next Regulatory Review Committee meeting will be on Wednesday, January 11<sup>th</sup> at 1:15 p.m. in Conference Room C. Linda M. Painter, Director of Planning and Development, noted that the Final Environmental Impact Statement for North Hillside Road Extension has been given to the Town. A copy is available to borrow in the Planning Office and any comments should be submitted to the Office prior to the end of the 30 day comment period of January 23, 2012.

**Communications and Bills:** Noted.

**Adjournment:**

Chairman Goodwin adjourned the meeting at 8:32 p.m.

Respectfully submitted,

Katherine Holt, Secretary

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**DRAFT MINUTES**  
**MANSFIELD PLANNING AND ZONING COMMISSION**  
Regular Meeting  
Tuesday, January 3, 2012  
Council Chamber, Audrey P. Beck Municipal Building

Members present: J. Goodwin (Chairman), M. Beal, R. Hall, K. Holt, G. Lewis, P. Plante, K. Rawn, B. Ryan  
Members absent: B. Pociask  
Alternates present: B. Chandy, V. Ward  
Staff Present: Linda M. Painter, Director of Planning and Development  
Curt Hirsch, Zoning Agent

Chairman Goodwin called the meeting to order at 8:05 p.m. and appointed alternate Chandy to act in Pociask's absence.

**Minutes:**

December 19, 2011 Meeting: Hall MOVED, Ryan seconded, to approve the 12/19/11 Meeting minutes as written. MOTION PASSED UNANIMOUSLY. Lewis noted for the record that he listened to the recording of the meeting.

**Zoning Agents Report:**

Hirsch stated he sent out renewal forms to all those registered as having Home Occupations and Efficiency Units.

**Public Hearing:**

**Special Permit Application for Fill, 28 Old Kent Road, J. James owner/applicant, PZC File #1306**

Chairman Goodwin opened the Pubic Hearing at 8:10 p.m. Members present were Goodwin, Beal, Hall, Holt, Lewis, Plante, Rawn, Ryan and alternates Chandy and Ward. Alternate Chandy was appointed to act. L. Painter, Director of Planning and Development, read the Legal Notice as it appeared in the Chronicle on 12/20/11 and 12/28/11 and noted the following communications received and distributed to members: a 12-29-11 memo from G. Meitzler, Assistant Town Engineer; a 12-29-11 memo from L. Painter, Director of Planning and Development; and a 1-3-12 letter from R. Meduna, 13 Thornbush Road.

Attorney Samuel Schrager, representing the applicant, presented background history on the property and the reason for the application.

Attorney Steven Basche, representing Douglas and Linda Rasicot, property abutters, opposed both the application and the request for waivers from application requirements. He discussed the background history on the property and submitted photos of the site before, after and during the work that was done by the applicant. He also submitted the following: an 11/8/2006 report written to the Director of Public Works from Eric R. Peterson, P.E., of Gardner and Peterson Associates, LLC; a 9/8/10 Temporary Agreement, and a petition signed by neighboring property owners.

After hearing extensive discussion from both attorneys and Mr. Rasicot, Goodwin noted for the record that there were no comments from the public. Plante MOVED, Beal seconded, to close the Public Hearing at 8:55 p.m. MOTION PASSED UNANIMOUSLY.

**Public Hearing:**

**Special Permit Application, Addition to Eastbrook Mall & Freestanding Building, 95 Storrs Road  
New England Design/applicant, PZC File #432-6**

Chairman Goodwin opened the Pubic Hearing at 8:57 p.m. Members present were Goodwin, Beal, Hall, Holt, Lewis, Plante, Rawn, Ryan and alternates Chandy and Ward. Alternate Chandy was appointed to act. L. Painter, Director of Planning and Development, read the Legal Notice as it appeared in the Chronicle on 12/20/11 and 12/28/11 and noted the following communications received and distributed to members: a

12-29-11 memo from L. Painter, Director of Planning and Development; a 12-29-11 memo from G. Meitzler, Assistant Town Engineer; a 12-28-11 letter from David A. Sawicki, Executive Director, CT DOT; a 12-21-11 memo from F. Raiola, Assistant Chief/ Deputy Fire Marshal; a 12-29-11 memo from the Design Review Panel; and a 12-29-11 memo from the Mansfield Conservation Commission. The applicant agreed to have testimony from the Inland Wetlands Agency meeting entered into the record of the Planning and Zoning Commission meeting.

John Whitcomb of BL Companies, John Everett of New England Design, and Daniel Plotkin of Northeast Leasing were present, representing the applicant. Everett reviewed the proposed changes to the site layout: the building addition to the north end of the mall, the small pad site along Storrs Road/Route 195, and the right-in and right-out driveway to enter/exit the pad site that crosses over Saw Mill Brook.

Whitcomb noted that he met with Town staff last week, and issues were identified which will be addressed on a revised set of plans. He asked if the condition of L.O.M.R. from FEMA can be a condition of approval or if they need the revision prior to approval. If the Commissioners feel that they need the L.O.M.A. prior to approval, the applicant will remove the pad site from the application.

Chairman Goodman asked for comments from the audience. David Simon, resident, would like to see sidewalks to go farther north on Storrs Road.

Noting no further comments or questions from the public or Commission, at 9:54, Hall MOVED, Holt seconded, to continue the Public Hearing to the next meeting. MOTION PASSED UNANIMOUSLY.

#### **Old Business:**

**a. Cease and Desist Order-Freedom Green (PZC File #636-4)**

Plante MOVED, Hall seconded, that the proposed grading plan dated 12/16/2011 and landscape plan dated 12/15/2011 be approved subject to the following conditions:

- The landscape plan be revised to label the shadblow tree located to the south of building B; change the proposed mugo pines in the driveway landscape area of building A to a shadblow tree, and that the final plan be signed and sealed by registered landscape architect that prepared the plan (Peter Miniutti).
- The grading plan be revised to eliminate proposed grade changes to the front and sides of structures A and B.
- Any changes to the grading plan, needed to comply with surface drainage requirements of the State Building Code, shall be submitted to the Zoning Agent for inclusion in the project file.

Upon submission of the revised plans and approval by the Director of Planning and Development that the plans have complied with the above conditions, the Zoning Agent shall be authorized to lift the Cease and Desist order on both Building A and Building B. MOTION PASSED UNANIMOUSLY.

**b. Interstate Reliability Project**

After discussion with representatives from CL&P, and changes to the "1-03-12 Draft Letter to Town Council", Plante MOVED, Hall seconded, to send the Town Council the amended 1-3-12 draft letter. MOTION PASSED UNANIMOUSLY.

**c. Request to amend Conservation Easement/Hawthorne Lane Subdivision**

After a brief discussion, and clarification of proposal to David Simon, property abutter, Holt MOVED, Ryan seconded, that the Planning and Zoning Commission hereby recommends that the Town Council amend the existing Conservation Easement for the Hawthorne Lane Subdivision to eliminate the 0.32 acres located to the west of the Hawthorne Lane cul-de-sac as depicted on the attached map and add the 0.64 acres located along the northern boundaries of the lots addressed at 21 and 25 Hawthorne Lane as depicted on the attached map. The change to the Conservation Easement should be contingent upon



Connecticut Siting Council approval of the transmission line route proposed as part of the Interstate Reliability Project and specifically the Hawthorne Lane alternative. The property owners shall be responsible for retaining an attorney to prepare the amendment to the Conservation Easement, as well as a surveyor/engineer to prepare revised legal descriptions and a map prepared to A-2 survey standards. Subject to the foregoing conditions, the subdivision approval is modified accordingly. MOTION PASSED UNANIMOUSLY.

d. **Continued Discussion of By-Laws**

Item tabled.

e. **Special Permit Application, Cumberland Farms, 643 Middle Turnpike & 1660 Storrs Road  
Cumberland Farms, Inc./applicant, PZC File #1303-2**

Item tabled-Public Hearing scheduled for 1/17/2012.

**New Business:**

None.

**Reports from Officers and Committees:**

Beal noted that the next Regulatory Review Committee meeting will be on Wednesday, January 11<sup>th</sup> at 1:15 p.m. in Conference Room C.

Goodwin stated that since there was no new business requiring a field trip, the scheduled 1/10/12 Field Trip is cancelled.

**Communications and Bills:** Noted.

**Adjournment:**

Plante MOVED, Beal seconded, to adjourn the meeting at 10:51 p.m.  
MOTION PASSED UNANIMOUSLY.

Respectfully submitted,

Katherine Holt, Secretary

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**DRAFT MINUTES**  
**MANSFIELD INLAND WETLANDS AGENCY**  
Tuesday, January 3, 2012  
Council Chambers, Audrey P. Beck Municipal Building

Members present: J. Goodwin (Chairman), M. Beal, R. Hall, K. Holt, G. Lewis (7:02 p.m.), P. Plante, K. Rawn, B. Ryan  
Members absent: B. Pociask  
Alternates present: B. Chandy, V. Ward  
Staff present: Grant Meitzler (Wetlands Agent)

Chairman Goodwin called the meeting to order at 7:00 p.m. and appointed alternate Chandy to act in Pociask's absence.

**Minutes:**

12-05-2011 - Regular Meeting- Beal MOVED, Ryan seconded, to approve the 12-05-11 minutes as written. MOTION PASSED UNANIMOUSLY.

12-13-2011 – Field Trip- Ryan MOVED, Beal seconded, to approve the 12-13-11 Field Trip meeting minutes as written. MOTION PASSED with Goodwin, Beal, Holt, Ryan and Rawn in favor and all others disqualified.

**Communications:**

The 12-27-11 Wetlands Agent's Monthly Business report and the draft minutes of the 12-21-11 Conservation Commission were noted.

**Public Hearings:**

W1488 - DEEP Legislation and Regulations Advisory - minor changes to statutes

Chairman Goodwin opened the Pubic Hearing at 7:03 p.m. Members present were Goodwin, Beal, Hall, Holt, Lewis, Plante, Rawn, Ryan and alternates Chandy and Ward. Alternate Chandy was appointed to act. G. Meitzler, Wetlands Agent, read the Legal Notice as it appeared in the Chronicle on 12/20/11 and 12/28/11 and noted the following communications received and distributed to members: a 1/3/12 letter from Town Attorney, D. O'Brien; a 12/28/11 memo from G. Meitzler, Wetlands Agent; an 11/28/11 letter from D. Winthrop, DEEP; and noted the referrals sent out to Staff and Committees.

Meitzler reviewed the proposed regulation revisions, noting that the changes are mandatory and were adopted into the State Statutes in July, 2011. Noting no comments from the Agency or public, Plante MOVED, Rawn seconded, to close the Public Hearing at 7:12 p.m. MOTION PASSED UNANIMOUSLY.

W1490 - Eastbrook Mall - 95 Storrs Rd - brook crossing, work in regulated area

Chairman Goodwin opened the Pubic Hearing at 7:12 p.m. Members present were Goodwin, Beal, Hall, Holt, Lewis, Plante, Rawn, Ryan and alternates Chandy and Ward. Alternate Chandy was appointed to act. G. Meitzler, Wetlands Agent, read the Legal Notice as it appeared in the Chronicle on 12/20/11 and 12/28/11 and noted the following communications received and distributed to members: a 12/20/11 revised set of plans; a 12/27/11 memo from G. Meitzler, Wetlands Agent; a 12/28/11 letter from D. Sawicki, Executive Director, CT DOT; and 12-21-11 comments from the Conservation Commission.

John Whitcomb, of BL Companies, reviewed the application showing the proposed work on the plans. Whitcomb noted that he met with the Assistant Town Engineer/Wetlands Agent and the Director of Planning and Development last week and identified several items that need to be addressed. He reviewed with the Agency three items identified at that meeting; the need for a F.E.M.A. map revision for the "pad site"; a report, and continued monitoring, by a wildlife specialist regarding the protected turtle species located at this site; and an adequate encroachment buffer. Whitcomb anticipates revised plans and additional information will be ready for the next meeting. The Wetlands Agent asked the applicant for more information on a number of issues including written permission from abutting property owners.

Members expressed concern about the following items: the crossing over Saw Mill Brook to enter and exit the pad site; protection for the wood turtle; the berm and proposed retaining wall to the north of the proposed store (Michael's) addition; the proposed leak-offs; and drainage pipe capacity.

Goodwin noted that the applicant plans to provide the agency with revised plans and additional information, and recommended that the Hearing be kept open. At 7:42 p.m. Rawn MOVED, Hall seconded, to continue the Public Hearing until 2/6/12. MOTION PASSED UNANIMOUSLY.

**Old Business:**

**W1489 - Town of Mansfield - Woodland Rd - relocate drainage at Ashford Town Line**

Holt MOVED, Hall seconded, to approve the application submitted by the Town of Mansfield (Wetlands File #W1489) for relocation of street drainage to the rear of 526 Woodland Road on land of Moore as depicted on a plan dated 11/30/2011, with 180 feet of 18-inch pipe and level spreader outlet protection, portions of which drainage system are located within 150-foot regulated area, and as described in a presentation made to the Inland Wetlands Agency at its 12/07/2011 meeting, and as viewed on a field trip on 12/13/2011.

This action is based on a finding of no significant impact, and is conditioned on the following provisions being met:

1. All erosion and sedimentation controls (as shown on the plans) shall be in place prior to construction and maintained during construction and removed when disturbed areas are completely stabilized.
2. This approval does not become effective until signed approvals for the work are received from the property owners: Moore, Wrubel, Best and Sirico.

This approval is valid for a period of five years (until January 3, 2017), unless additional time is requested by the applicant and granted by the Inland Wetlands Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this Agency for further review and comment. MOTION PASSED UNANIMOUSLY.

**New Business:**

**W1491 - Cumberland Farms - 643 Middle Turnpike & 1660 Storrs Road**

Ryan MOVED, Holt seconded, to receive the application submitted by Cumberland Farms, Inc. (File #W1491) under the Wetlands and Watercourses Regulations of the Town of Mansfield, for a convenience store and gas station, on property located at 643 Middle Turnpike and 1660 Storrs Road (Routes 44/195/320), as shown on a map dated December, 9, 2011, and as described in application submissions, and to refer said application to staff and Conservation Committee, for review and comments. MOTION PASSED UNANIMOUSLY.

Attorney Joseph P. Williams, of Shipman and Goodwin, and Kevin Thatcher, P.E., of CHA Companies, gave the Agency a brief overview of the proposed Cumberland Farms project. Plante asked if a Phase 2 report was completed on the property. He would like to see a copy of it. Goodwin noted there were no further questions or comments from Agency or public and noted that this item would be taken up for a full presentation at the February 6<sup>th</sup> Inland Wetlands Agency meeting.

**Communications:** Noted.

**Adjournment:** Plante MOVED, Hall seconded, that the meeting be adjourned at 8:00 p.m. MOTION PASSED UNANIMOUSLY.

Respectfully submitted,

Katherine Holt, Secretary

Memorandum:

December 27, 2011

To: Inland Wetland Agency  
From: Grant Meitzler, Inland Wetland Agent  
Re: Monthly Business

**W1419 - Chernushek - hearing on Order**

- 3.10.09: The hearing on the Order remains open and should continue until the permit application under consideration is acted upon.  
(The Order was dropped on approval of the application required in the Order.)
- 4.30.09: Former rye grass seeding is beginning to show green. I spoke with Mr. Chernushek this afternoon who indicated health problems that delayed his starting but indicated he will be working this weekend. I will update on this Monday evening.
- 5.26.09: A light cover of grass growth has come in. Mr. Chernushek indicates health problems and two related deaths have delayed his start of work since the permit approval was granted. It appears that some light work has started. He has further indicated that he will start a vacation on June 22, 2009 to finish the work.
- 6.13.09: Work is underway.
- 6.21.09: Bulldozer work has been completed - finish work remains. The additional silt fencing has been placed along the northerly wetlands crossing, and the additional pipe under the southerly crossing has been installed. Remaining work includes finish grading along edges, spreading stockpiled topsoil, and establishing grass growth.
- 7.01.09: I spoke with Mr. Chernushek who indicated he expects work to be completed by September 1, 2009. (Site photo attached).
- 9.03.09: Mr. Chernushek has been working on levelling and grading. The formerly seeded areas have become fairly thick growth surrounding the central wet areas. He has further indicated that with the combination of weather and the slower moving of earth with the payloader compared to the earlier rented bulldozer has led him to contact contractors for earth moving estimates which have not yet been received. The site is not yet finished but has remained quite stable.
- 9.12.09: I met with Mr. Chernushek today and discussed again what his plans are for stabilizing this work site.
- 10.01.09: Mr. Chernushek indicated he has not heard back from the contractor he had spoken with about removing material, and is in progress of contacting others. In discussion is removal of material from the site either within the 100 cubic yard limit or obtaining a permit for such removal.
- 10.28.09: Mr. Chernushek has indicated he has made arrangements with DeSiato Sand & Gravel to remove 750 cubic yards of material. Staff is in the process of clarifying permit requirements.

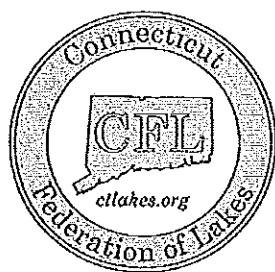
**W1445 - Chernushek - application for gravel removal from site**

- 11.30.09: Packet of information representing submissions by Mr. Chernushek, Mr. DeSiato and myself is in this agenda packet as Mr. Chernushek's request for modification.
- 12.29.09: Preparation of required information for PZC special permit application is in progress. Tabling any action until the February 1, 2010 meeting is recommended.

- 1.12.10: 65 day extension of time received.
- 2.18.10: No new information has been received.
- 2.25.10: This application has been **withdrawn**.
- 6.30.10: As viewed from the adjacent property, the upstream and downstream areas have grown to a decent protected surface. I did not see indication of sediment movement.
- 10.26.10: A sale of the East portion of the Chernushek property has been in negotiation.
- 12.27.10: The property exchange has been completed. The owner is now the neighboring property owner Bernie Brodin. He has indicated his intention to stabilize the area as weather permits.
- 4.25.11: Mr. Brodin indicates he is starting with grading and spreading hay and seed to stabilize disturbed areas.

**Mansfield Auto Parts - Route 32**

- 12.23.10: Inspection - no vehicles are within 25' of wetlands.
- 1.07.11: Inspection - no vehicles are within 25' of wetlands.
- 1.20.11: Vehicle storage areas are snowed in and inaccessible.
- 1.26.11: Snows remain, although some clearing has been done I could not count on being able to get out.
- 2.24.11: Inspection - no vehicles are within 25' of wetlands.
- 3.09.11: Inspection - no vehicles are within 25' of wetlands.
- 3.22.11: Inspection - no vehicles are within 25' of wetlands.
- 4.25.11: Inspection - no vehicles are within 25' of wetlands.
- 5.17.11: Inspection - no vehicles are within 25' of wetlands.  
Mr. Bednarczyk's estimate is that approximately 100 tires per month are being removed from the site.
- 6.14.11: Inspection - no vehicles are within 25' of wetlands.
- 7.12.11: Inspection - no vehicles are within 25' of wetlands.
- 8.04.11: Inspection - no vehicles are within 25' of wetlands.
- 9.13.11: Inspection - no vehicles are within 25' of wetlands.
- 11.03.11: Inspection - two vehicles are within 25' of wetlands.  
Vehicle doors and a camper or trailer are stored in the extreme rear lot not approved by zoning for use.
- 11.30.11: Inspection - two vehicles are within 25' of wetlands.  
Employees indicate cars will be moved soon. Payloader repair parts are to be there later today and cars will be moved as soon as parts are installed.  
Owner indicated in earlier discussion that the doors would be moved.  
Rate of tire removal has increased with a company in Massachusetts removing them by truckload. At time of this discussion (about a week ago) nearly 2,000 tires had been removed from the lot by the railroad tracks.
- 12.07.11: Inspection - two vehicles are within 25' of wetlands.  
Payloader repairs not yet completed. Weekly inspections will be made until the two vehicles and doors are moved.
- 12.27.11: Inspection - 1 vehicle within 25' of wetlands - owner indicates it will be moved this week. Payloader is back in operation. Owner indicates doors in "rear" lot will be moved this week. Large number of tires have been moved from lot by RR tracks - approximately 65% of tires have been removed.



# CFL News

**Volume 16, Issue 2—December 2011**

## **2012 Membership Drive**

Your membership dues and tax-deductible donations help CFL to provide educational information to our members through our website, conferences and special mailings of books and magazines. We appreciate and need your ongoing support.

Act now to join or renew your membership in the CFL with the application found in this newsletter.

We appreciate your support of the Connecticut Federation of Lakes in 2012.

## **INSIDE THIS ISSUE**

- 2** Rogers Lake Property Owners vs. Old Lyme
- 3** Invasive Investigators Update
- 4** Flood Insurance Rate Maps  
CLA's Zebra Mussel Task Force
- 5** CAES Study of Invasive Aquatic Plants in CT

## **President's Message**

### **Whatever Happened to Connecticut's Lakes Grant Program?**

In 1987 Section 22a-339a of the CT General Statutes was passed creating "Grants to Improve Water Quality of Lakes Used for Public Recreation." More commonly called the CT Lakes Grant Program it can provide matching grants for lake restoration studies and projects at lakes that have public access. Funds for the program are to be used to abate lake eutrophication by conducting diagnostic studies and then developing and implementing restoration projects.

Types of projects funded in the past include dredging, algae control, stormwater infrastructure improvements and aquatic weed control. As described in the Statutes, the funds are provided to municipalities, lake authorities, and lake taxing districts at lakes that are available to the general public for recreation. The Lakes Grant Program requires a 25% match for studies and a 50% match for implementation of control measures. Some noteworthy projects funded through this program included:

- A dredging project at Keney Park Pond
- Water quality monitoring (including aquatic plants) at Hatch Pond, Moodus Reservoir, Beseck Lake, and Bashan Lake among others.
- A watershed study and shoreline buffer guidelines at Candlewood Lake
- A stormwater infrastructure project at Birge Pond
- A pilot suction harvesting project at Crystal Lake

In addition to providing funds for worthy projects, the grant program also provided the State with vital information on the health of these important inland water resources.

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Funds for the CT Lakes Grant Program were made available from time to time through their authorization by the State Legislature and allocation by the State Bond Commission. Since 1999 over \$2 million dollars have been authorized by the legislature. Notwithstanding some of the important projects that have resulted from the program, much of those funds were never allocated by the State Bonding Commission and eventually were rescinded by the Legislature. There were, however, \$688 thousand dollars authorized in 2007 that, although not yet allocated by the State Bond Commission, have not been rescinded.

I recently had the opportunity to speak with State Senator Andrew Roraback (30th District) and State Representative Clark Chapin (67th District) about having those funds allocated by the Bond Commission. Both emphasized to me that the Governor sets the agenda of the Bond Commission. Senator Roraback, who sits on the Commission and is a Ranking Minority Member of the Legislature's Finance, Revenue, and Bonding Committee, went as far as to express his support of allocating those funds, while reeling off the names of numerous lakes in his district.

So... what can we do to see to it that those and future funds become available to do the important work of fixing our lakes?

1. If the Governor sets the agenda, then the Governor needs to know that this program is important and the funds need to be on the agenda. Make Governor Malloy aware with your calls, letters or emails. To contact him, go to [www.ct.gov](http://www.ct.gov) and click on the picture of the Governor in the top right corner. That will bring you to a webpage with information on how to contact him.
2. Inform your State legislators that you need their support so they can convey it to the Governor and members of the Bond Commission. Some of those, like Senator Roraback may sit on the Commission. To find your legislators, go to [www.cga.ct.gov](http://www.cga.ct.gov) and hold your cursor over House and then Senate and follow the prompts. To see who is on the Commission, see [www.ct.gov/opm/cwp/view.asp?a=3010&Q=382918](http://www.ct.gov/opm/cwp/view.asp?a=3010&Q=382918).

Let's see if we can make the Lakes Grant Program an important part of lake protection and management in Connecticut again.

Season's Greetings,

Larry Marsicano

CFL President



## **Rogers Lake Property Owners vs. Old Lyme**

**By Bruce Fletcher**

Property owners who don't live year-round on the lake are suing the Town of Old Lyme for the unlawful prohibition of occupying and using their property between November 30 and March 15. They feel deprived of "their rights, privileges and immunities" under Connecticut and U.S. law. Unless their properties fail to meet all health codes and building codes, they believe use of their properties year-round is legal. They maintain that this prohibition has "a negative impact on the Plaintiffs' use and enjoyment of their property, including difficulty in obtaining credit using the properties as collateral, loss of use of the land for the time between November 30 and March 15, diminution in the market value of the properties, and excessive property tax assessments which value the land based on year-round use even though the property owners do not have a right to year-round use of the property or access to government services during the off season". Since they believe this prohibition is a violation of "Connecticut General Statutes Section 8-2 and 8-2h(a), of the Fifth and/or Fourteenth Amendment to the United States Constitution, and of Article First, Sections 1, 8 and/or 10 of the Connecticut Constitution," the property owners want this prohibition repealed as well as "compensatory damages, exemplary or punitive damages as provided by law, reasonable attorney's fees and costs as provided by law, and such other relief as the Court may deem just and proper." The Plaintiffs demanded a jury trial. This case is all but settled in favor of the Rogers Lake property owners; Old Lyme has lost.

*Some information came from complaint filed in US District Court November 29, 2010.*



### **Editorial Reaction by Bruce Fletcher**

I don't know how many lake communities have fought this same issue. Is this repeal of seasonal limits a legal precedent-setting breakthrough for property owners in Connecticut? Will this lawsuit victory mean more lakes will suffer from more people living near the water and "polluting" their water? Unless lake associations, towns, the DEEP, and the DPH (public health) demand and require and enforce lake smart living compliance, the water quality and recreational desirability of lakes will decline.

Maybe this new reality of more year-round usage of code compliant properties will spur more lake smart property regulations and ordinances, better enforcement, more pressure for decentralized wastewater management districts or ultimately city sewer systems. All lake stakeholders must be ready to be personally more lake smart and/or push these policy changes. You can do your part by taking the CFL LakeSmart Pledge and making your property a "LakeSmart Home" (details on [ctlakes.com](http://ctlakes.com)).



### **Invasive Investigators Update and Beyond**

**By Bruce Fletcher**

Did you receive training in 2011? Did you see any Invasive Investigators (IIs) at your state boat launch area? Gwendolynn Flynn of the DEEP's Boating Division (860-447-4339 or [gwendolynn.flynn@ct.gov](mailto:gwendolynn.flynn@ct.gov)) trained 80 plus volunteers in 2011. The CFL applauds this program, and hopes more volunteers will take the 4 hour training in 2012. Since the spread of aquatic invasives and the cost of weed management are such major problems, it is very important that all stakeholders get involved. While the DEEP has a staff of 21 paid Boating Education Assistants (BEAs) who since 2003 have monitored the state's 114 public boat launches, the BEAs and the 80 scattered volunteers can not adequately monitor all the launches even minimally. Hopefully, the DEEP will fund more BEAs and train more volunteer IIs because the cost of prevention is a lot less than the cost of control. Maybe some day soon Connecticut will charge at registration renewal time every freshwater boater an invasive weed control fee. This dedicated fund could be used to fund more BEAs, more public education, more full time supervi-

sion of launches, and rapid responses to new infestations. <sup>49</sup>

Rather than depend on an occasional visit to your launch by a BEA or an Invasive Investigator (II), aggressive, pro-active lake associations could set up their own seasonal "lake watch" program much like a residential Neighborhood Watch. Lake associations could pay trained IIs to monitor their boat launches and interact with the visiting boaters just as they were trained by Gwendolynn Flynn of the DEEP. Though working at a state owned public boat launch area, these IIs would not be covered by any state insurance policy nor would they be covered by their lake association's liability insurance. These employees would hold harmless the lake association (their employer) and the state. To date the IIs have found talking with the boaters to be pleasant and friendly. Since IIs always ask permission to chat with the boaters coming and going about invasives and to obtain their consent to do an inspection for weeds, these interactions are always cordial and non-confrontational. The majority of boaters are quite knowledgeable about invasives, and usually are as equally concerned as lake property owners. Since the IIs have no enforcement authority, they can only quietly report possible violators to the local police or conservation officers who would eventually investigate and issue warnings or fines.

The advantages of having a paid staff of IIs include the full time distribution of educational information about aquatic invasives, the "constant" checking for invasive weed hitchhikers on boats and trailers as they enter and leave, the regular collection of information about where the boaters have been previously and where they are going next, and how they have cleaned their boats and trailers before entering the next lake or river. Much of this information is forwarded to the DEEP for their planning purposes and needs assessment work. Most importantly, the biggest benefit that your lake will have is three fold - fewer invasives, lower weed management costs, and a lake with enhanced recreational desirability. It is well accepted that superior recreational desirability is worth thousands and thousands of dollars in property value.



## **Flood Insurance Rate Maps**

**by Richard Canavan and Jeff Stefanik**

The Federal Emergency Management Agency (FEMA) maps floodplains including maps called Flood Insurance Rate Maps (FIRMs). These maps are periodically updated by FEMA to account for changes in flows that result from changes in a watershed. Flood Insurance Mapping is used by lending and insurance companies to determine if homeowners must maintain a flood insurance policy. Flood insurance can be expensive. Financial institutions are more frequently requiring flood insurance either due to revisions in mapping or a more conservative approach to buildings near flood zones. Often an institution places the burden on the home owner to prove that the building is outside of the flood zone.

This stricter policy is followed in virtually all new home purchases near a water body and even in the refinancing of homes already owned. As an example, someone could have bought their home twenty years ago and never been required to have flood insurance nor has ever had a flooding problem but would now be required to obtain a flood insurance policy, the cost of which could be several thousand dollars each year.

The insurance requirement can be waived only by FEMA through an application process known as a Letter of Map Amendment (LOMA). The LOMA consists of a survey of the subject property and submission of the application and required supporting data to FEMA who will render a decision in regard to the location of the existing structure or building and whether it is located in the flood hazard area. The LOMA must be signed and sealed by a licensed land surveyor, registered professional engineer or architect authorized by law to certify elevation information. The process takes approximately eight weeks to have a decision rendered. Most properties that are not prone to flooding can successfully avoid flood insurance requirements by obtaining a LOMA.

Several on-line versions of FEMA's Flood Insurance Rate Mapping are available at the FEMA map service center, [www.msc.fema.gov](http://www.msc.fema.gov), including the MapViewer-Web which allows you to type in an address. Although it is uncommon, if your home is frequently flooded by a lake or stream FEMA offers programs to help reduce future losses in their Hazard Mitigation Assistance (HMA) program.

## **CLA's Zebra Mussel Task Force Releases... Interim Report on Findings and Recommendations**

The Candlewood Lake Authority (CLA) recently made available on its website the *Interim Report on the Findings & Recommendations of the Candlewood Lake Authority Zebra Mussel Task Force for the Prevention of Introduction and Control of Zebra Mussels (*Dreissena polymorpha*) at Lakes Candlewood, Lillinonah & Zoar*. The report provides an overview of this Task Force's process and goals, background information on zebra mussels, and a number of recommendations to prevent further spread of the exotic nuisance mollusk now found at five lakes in Connecticut.

In the fall of 2010 the CT DEEP issued a press release notifying the public that zebra mussels had been found in Lakes Lillinonah and Zoar. In the previous year, this invasive animal species had been found in Laurel Lake in Lee, MA, in Laurel Brook which drains from Laurel Lake, and in the Housatonic River below the confluence with Laurel Brook. In 2011, CT DEEP issued another press release stating that zebra mussels were now in Lake Housatonic. It is surmised that the zebra mussel populations in Lillinonah and Zoar may be the result of upstream recruitment from the populations in the Housatonic River in MA and from Laurel Lake. Prior to that the only other known populations in either state were located at East Twin and West Twin Lakes in Salisbury, CT which were documented in 1998 and 2001, respectively.

After learning of the recent spread to Lillinonah and Zoar, the CLA formed a Task Force in November of 2010 to better understand the issue and develop recommendations to prevent further spread. Task Force members, which so far have met six times starting in December of 2010, include representatives from the Lake Authorities on Candlewood, Lillinonah and Zoar, the CT DEEP, the Friends of the Lake organization (on Lake Lillinonah), the Housatonic Valley Association, the Connecticut Bass Federation Nation, FirstLight Power Resources (who owns the lakes which are part of a hydroelectric facility), Western Connecticut State University, and other members from the Candlewood community with interest in the issue.

The Task Force's recommendations fell into one of five groups: education and outreach, prevention and con-

tainment, early detection and monitoring, legislation, and funding. Many recommendations have already been implemented including the development and dissemination of educational materials and signage, promotion of the CT DEEP's Invasive Investigator program, and monitoring programs. The CT DEEP, FirstLight Power and the Task Force have implemented monitoring programs throughout the Housatonic River watershed for either adult zebra mussels and/or the microscopic and planktonic larval life-stage, referred to as veligers. Although there are analyses still to complete on samples collected this season, veligers have already been observed in the Housatonic River in CT as well as in Lake Zoar.



### **Connecticut Agricultural Experiment Station (CAES) finishes 8th year of studying the problem of INVASIVE AQUATIC PLANTS in Connecticut lakes and ponds.**

Over the past eight years the CAES Invasive Aquatic Survey program has gathered valuable information on the spread of these non native plants in Connecticut. The findings from these surveys are of great value to Connecticut lake and pond communities.

The following is an Associated Press story about the CAES Invasive Aquatic Plant program under Mr. Greg Bugbee. Also below see the list of lakes and ponds that have been surveyed by Bugbee's team of scientists.

Go to Connecticut Agricultural Experiment Station web site [www.ct.gov/caes](http://www.ct.gov/caes) and click on Invasive Aquatic Plants and fill out a form requesting adding your lake or pond to the list for a CAES survey in 2012.

### **PLANT PATROL:**

#### **On alert for alien invaders**

Published: Monday, August 29, 2011

**SOUTHBURY (AP)** — Off the bow of Greg Bugbee's 18-foot boat floats what looks like a four-leaf clover, the water shamrock slowly drifts closer to the side, a bright green above the silty waters of Lake Zoar. It's a sign, but it's not good luck.

Water shamrocks are an invasive plant species, exactly what Bugbee is looking for. "It hasn't really shown

to be a major nuisance yet," Bugbee says as he fishes<sup>51</sup> the shamrock out from the port side. "Either way, it's a non-native species which you don't want affecting your native ecosystems. We were the first to find it a few years ago and I don't know why these pieces are floating around here, so we'll have to take a closer look."

For every summer since 2003, Bugbee's boat has been his office for his work as a biologist with the Connecticut Agricultural Experiment Station, scouring the state's watercourses for alien plants. Although the state's Department of Energy and Environmental Protection started a new initiative earlier this month to gather volunteers to hunt for alien plants, Bugbee works full-time spotting dozens without referring to a manual.

Rain or shine, Bugbee, who has worked for the state since the late 1970s, is out searching for most of August and early September, cataloging his finds with an onboard GPS computer and later mapping them back at the laboratory. He is part of a team of six researchers that is the state's first line of defense against the pests. The team is frequently contracted by companies like FirstLight Power Resources to search for the invasives.

Bugbee pulls the boat closer to shore in a shallow area using a canoe paddle and standing like a Venetian gondola oarsman. He flips on his polarized sunglasses to peer beneath the waters, but it's still too murky. Even if something was there, though, it could prove tricky to identify. "Some aren't as easy to just see," he said. "You have to go back to look at them under microscope. Sometimes we have to do DNA sequencing just to make sure they are what we think they are."

Invasive plants can sometimes crowd out native plants, threatening food sources or habitats for fish and insects. If the invading plants have no natural competitors, they can grow without control, damaging ecosystems beyond human help.

"The big part of this is biological diversity," said Donna Ellis, a researcher and educator with the Department of Plant Science and Landscape Architecture at the University of Connecticut. "If there are no natural enemies, there's no way to stop the spread, and that's a problem."

This year's growth of invasive plants at first look isn't as bad as previous years, according to Bugbee, but the reason remains elusive to scientists. If the data the

5:2am collects this year show growth was stifled by a colder winter, scientists may be able to mimic conditions in some areas to stop the plants from spreading, he said.

The data are inconclusive. Many of the species enter the state's waters by accident.

Fish owners sometimes dump their aquariums into the lakes assuming they're doing the "right thing by freeing the fish," Bugbee said, but often times plants growing inside the tanks are not native to the area. The state Department of Energy and Environmental Protection has started its own team to begin searching pet stores, aquarium shops and water garden providers to begin cracking down on sales of mislabeled plants to stop the spread.

"Sometimes we'll get out there and it won't be an invasive species, let alone a plant," Bugbee said. "It may be an algae or something native. It's important to look, though, because if someone wants to use a chemical to control it and it's misidentified, they're going to waste a lot of money." The work is part ecological study and part property defense.

While some residents Bugbee meets as he navigates in and out of boat docks share his concerns about the environment, others are simply happy to see someone removing Eurasian milfoil, a weed that sometimes grows to close to 10 feet in length.

Bob Barnes, chairman of the Lake Zoar Authority, said the milfoil alone has spread to between 90 and 95 acres of the lake in recent years. Home buyers won't purchase a house on the lake if they can see the water is full of the weed.

"We've had all kinds of issues with people getting weeds tangled in their jet-skis and wrapped around propellers," Barnes said. "If you're looking to buy a house and there's a disgusting amount of weeds, you're not going to want that. What's the point if you can't get in and out of the water?"

Although some boaters kid him about his job, spending 10 hours on summer days scouring lakes as the ideal job, Bugbee said it's hard for his team to process all the information during the winter months before they start anew the following year.

"I'm out here no matter what the weather is for the most part," Bugbee said. "Either way, it beats having a desk job."

## **Lakes/ponds surveyed by CAES in 2011**

The following are the lists of Connecticut lakes/ponds surveyed by the CAES in 2011.

At different depths ranging from .1 feet to 16 feet in each of these waterbodies the CAES collected information on light availability, sediment organic content, bottom slope, depth, and plant species.

Survey maps, water chemistry and other information will be available on the CAES web site shortly. Call Greg Bugbee (203) 974-8512 or email [greg.bugbee@ct.gov](mailto:greg.bugbee@ct.gov) with questions.

### Lakes/Pond where CAES reports are soon to be completed:

Alexander Lake - Killingly  
Anni's Pond (Kleeman's Dam) - Bethany  
Beseck Lake - Middlefield  
Billings Lake - North Stonington  
Black Pond - Middlefield  
Bolton Lower - Bolton  
Cedar Lake - Chester  
Crystal Lake - Ellington  
Gardner Lake - Bozrah, Montville, Salem  
Lake Elise - Middlebury  
Lake Hayward - East Haddam  
Lake Quonnipaug - Guilford  
Messerschmitt Pond - Deep River, Essex  
Moosup Pond - Plainfield  
Pattaganset Lake - East Lyme  
Quaddick Reservoir - Thompson  
Rogers Lake - Lyme, Old Lyme  
Tyler Lake - Goshen  
West Lake - Guilford  
West Hill Pond - New Hartford, Barkhamsted  
West Side Pond - Goshen  
Wintergreen Lake - Hamden

### Lakes/Ponds where Aquatic Plant Surveys have been completed in 2011.

Anne's Pond (Kleeman's Dam) - Bethany  
Beseck Lake - Middletown  
Bolton Notch Pond, Bolton  
Bunnells Pond - Bridgeport  
Bushy Pond, Clinton  
Candlewood Lake - Danbury, New Milford, Sherman  
Crystal Lake - Middletown  
Doaneville Pond, Norwalk  
Grannis Lake - East Haven  
Held Pond - Weston

Fence Rock Lake - Guilford  
 Lake Brandegee - Waterford  
 Lake Elise - Middlebury  
 Lake Lillinonah - Monroe etc.  
 Lake Quassapaug - Middlebury  
 Lake Zoar (transects and water samples only)  
 Larkin Pond - Middlebury  
 Lower Bolton Lake - Bolton  
 One Acre Pond - Madison  
 Pinewood Lake - Trumbull  
 Private Pond - Pawcatuck  
 Putnam Park Pond - Easton  
 Scribner Pond - Norwalk  
 Squantz Pond, New Fairfield

Also the CAES has begun re-surveying lakes originally surveyed 5 or more years ago to determine the changes. In some cases the increase in invasive aquatic species is dramatic. For example the re-survey of Cedar Lake in Chester showed an increase in the acreage of *Cabomba caroliniana* from 2004 to 2010.



### -- Classifieds --

#### **Lake Weed Harvester for Sale**

Inland Lake Harvester Model LH6-250 in excellent condition. Only 830 hours of use. Expertly maintained. Includes trailer.

This is one of the finest weed harvesters made. This unit is easily transportable over land with its own trailer. No need for over wide permits. Excellent for smaller bodies of water and contracting. This diesel powered vehicle, has a 6 ft. wide cut and holds 250 cu. ft of weeds. It is big enough to cut a large area, yet small enough for the tight coves.

Please contact: david@zwang.com



#### **About the Connecticut Federation of Lakes**

Everyone agrees that healthy lakes are highly valued natural assets whose beauty and recreational offerings make them irresistible to so many each season of the year. Towns with attractive lakes annually collect higher property tax revenues and benefit each year from months of "trickle down economics". These precious resources are fragile, and need constant monitoring

and preventive and corrective programs. So it is no wonder that individuals, families, lake associations, towns and states proactively work to help their lakes and recognize that unprotected lakes may become damaged beyond repair.

The Connecticut Federation of Lakes (CFL) was formed in 1995 to help individuals, steering committees and established lake associations with needed guidance, advice and support. In addition, the CFL fosters an alliance of Connecticut's many pond and lake protective organizations so that Connecticut lakes can speak with a unified voice.

The CFL board members are dedicated volunteers who have first hand experience in dealing with lake and association issues. Since some board members are professional lake managers and others have masters & doctorate credentials in the science of limnology, the CFL can and does help. Recently the CFL helped pass legislation geared to curb the establishment of invasive aquatic plants in Connecticut. Boat launch monitoring, on site waste water management guidelines, and model municipal regulations and ordinances for watershed protection are current initiatives.

The CFL publishes newsletters for members full of technical information, lake profiles, management tips and news from the DEEP. Chuck Lee of the DEEP, an environmental analyst in the Bureau of Water Protection and Land Reuse, 860-424-3716, attends all the CFL Board meetings. The CFL works with the Governor to designate the annual Lakes Awareness Week and hosts educational conferences for CFL members and friends. In addition the CFL is an active full participant in NEC-NALMS (the New England Chapter of the North American Lake Management Society). We participate in their programs annually and host the 3 day conference on a rotating basis.

Lakes in Connecticut need to receive more preventive medicine. In other New England states the citizenry and legislators have pushed through bigger and better programs for lakes. If you treasure your lake, please join the CFL. With your help the CFL will continue to make a difference locally and statewide.



## 54 **Contact the CFL**

For more information regarding the Connecticut Federation of Lakes, visit our web site at [www.ctlakes.org](http://www.ctlakes.org), contact [Penny@Ctlakes.org](mailto:Penny@Ctlakes.org), or write to P.O. Box 216, Windsor, CT 06095.



### **CFL Board**

Larry Marsicano, President – Candlewood Lake  
George Knoecklein, Vice President – Limnologist  
Penny Hermann, Secretary, – Lake Williams  
George Walker, Treasurer - Lake Lillinonah  
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Bruce Lockhart, - Certified Lake Manager  
Chris Mayne, - Certified Lake Manager  
Tom McGowan, - Lake Waramaug  
Connie Trolle – Bantam Lake

### **Newsletter Committee**

The Newsletter Committee welcomes your input and your articles. Please send suggestions or articles to CFL, P.O. Box 216, Windsor, CT 06095 or e-mail to [Penny@Ctlakes.org](mailto:Penny@Ctlakes.org).

The newsletter committee includes:

Bruce Fletcher  
Penny Hermann  
George Knoecklein  
Larry Marsicano

## **Calendar**

**Upcoming Board Meetings** – 3<sup>rd</sup> Wednesday of January, March, April, May, June, September, and October 7PM at Northeast Utilities, Newington, CT

### **CFL Application - 2012**

**Yes! I want to be a member of the CFL!**

(Please make check payable to Connecticut Federation of Lakes)

☐ Individual (\$25/year)

☐ Lifetime - for individuals only (\$500)

☐ Lake Association (\$150/year)

☐ Tax Deductible Donation

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Lake

Whom may we thank for your referral?

Mail to: CFL, P.O. Box 216, Windsor, CT 06095